IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

Writ Petition No.6155 of 2006

Sudhakar R Joshi. ..Petitioner.

vs

The State of Maharashtra ors. .. Respondents.

Mr. Manish U Padhya for the petitioner.
Mr. P. M. Patil, AGP for the State.

CORAM: H.S. BEDI, C.J., &
V.M. KANADE, J.
DATE: OCTOBER 6, 2006.

P.C.:-

We have heard the learned counsel for the parties.

We find from the pleadings in the petition that no order has been impugned in the petition but the challenge is to the re-assessment of the property tax, which the petitioner alleges, is excessive and uncalled for. The learned Asst. Government Pleader, points out that a remedy by way of an appeal before the Panchayat Samiti under section 124 of the Bombay Village Panchayats Act, 1958, was available to the petitioner and as such this petition was premature. The learned counsel for the petitioner, however, apprehends that an appeal, if filed now, would be time barred. In these circumstances, we direct that in case an appeal is filed within two weeks from today, the plea of limitation will not be raised by the respondents.

Petition is accordingly disposed of.

CHIEF JUSTICE

V.M.KANADE J.